



Atty Dkt 9001-0016.01
PATENT

JAN 14 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In Re Application of:

POTTER et al.

Serial No.: 08/976,566

Group Art Unit: 1641

Filing Date: November 24, 1997

Examiner: J. Graser

Title: ENHANCED IMMUNOGENICITY USING LEUKOTOXIN CHIMERAS

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

University of Saskatchewan, hereinafter "Assignee", an educational institution of Canada, having an address at 120 Veterinary Road, Saskatoon Saskatchewan S7N 5E3 CANADA, is the owner of the entire right, title and interest in and to application U.S. Serial No. 08/976,566, filed November 24, 1997, by virtue of an assignment recorded March 4, 1993 at Reel 6483, Frame 0070, and is also the owner of the entire right, title and interest in and to:

U.S. Patent No. 5,422,110, filed October 14, 1992 and issued June 6, 1995, by virtue of an assignment recorded March 4, 1993 at Reel 6483, Frame 0070;

U.S. Patent No. 5,723,129, filed February 10, 1995 and issued March 3, 1998, by virtue of an assignment recorded June 8, 1995 at Reel 7546, Frame 0350; and

U.S. Patent No. 5,837,268, filed August 9, 1996 and issued November 1, 1998, by virtue of an assignment recorded November 4, 1996 at Reel 8206, Frame 0384.

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In accordance with 37 C.F.R. §3.73(b), Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

The assignee hereby disclaims the terminal part of any patent granted on the herein application Serial No. 08/976,566 which would extend beyond the expiration dates of the U.S. Patents Nos. 5,422,110, 5,723,129 and 5,837,268, and agrees that any patent granted on the herein application 08/976,566 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patents Nos. 5,422,110, 5,723,129 and 5,837,268, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration dates of the full statutory terms as presently shortened by any terminal disclaimer of Patents Nos. 5,422,110, 5,723,129 and 5,837,268 in the event that they later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), have all claims canceled by reexamination certificates, or are otherwise terminated prior to the expiration of their statutory terms as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Executed at Saskatoon, SK Canada
By: UNIVERSITY OF SASKATCHEWAN
Title: *Julia A. [Signature]*
Chair, Board of Governors
Date: *[Signature]*
For Secretary, Board of Governors

Dec 20/99